

267 CMR 2.00: PURPOSE, AUTHORITY, DEFINITIONS AND BOARD PROCEDURES

Section

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2.01: Purpose

267 CMR 2.00 *et seq.* shall govern the registration of perfusionists, establish the standards and procedures for the issuance of full and provisional registrations to perfusionists and for the renewal of the same, and establish standards of professional practice and conduct for such registrants.

2.02: Authority and Citation

267 CMR 2.00 *et seq.* is adopted under authority of M.G.L. c. 112, § 219, and M.G.L. c. 13, § 11E, and is adopted pursuant to the provisions of M.G.L. c. 30A, § 3. 267 CMR 2.00 *et seq.* shall be known, and may be cited, as "Purpose, Authority, Definitions and Board Procedures".

2.03: Definitions

The following terms, as used in 267 CMR 2.00 *et seq.*, shall have the following meanings unless the context in which they are used clearly requires a different meaning:

Accreditation Committee for Perfusion Education or ACPE – means the national organization responsible for establishing and implementing educational standards for perfusion education programs and approving perfusion education programs which meet those standards.

American Association of Blood Banks or AABB – means the national organization responsible for establishing standards and guidelines for the operation of blood banks and the performance of blood transfusions, located at 8101 Glenbrook Road, Bethesda, Maryland 20814.

American Board of Cardiovascular Perfusion or ABCP – means the national organization for certification and re-certification of clinical perfusionists, located at 207 North 25th Avenue, Hattiesburg, Mississippi 39401.

Applicant – means any individual who has applied to the Board for full licensure as a perfusionist, or for a provisional license to practice perfusion, or for any renewal, extension or reinstatement of the same, pursuant to 267 CMR 3.01 through 3.07.

Board – means the Board of Registration of Perfusionists established pursuant to M.G.L. c. 13, § 11E.

Cardiopulmonary Bypass System – means a heart-lung machine, or similar device which assumes the functions of a patient's heart and lungs, through which a patient's blood is diverted during the performance of a surgical procedure on the patient's heart.

Certification – means the private certification granted to a clinical perfusionist who attains a passing score on the examination administered by the American Board of Cardiovascular Perfusion and who otherwise meets the standards set by the ABCP for that certification.

2.03: continued

Commission on Accreditation of Allied Health Education Programs or CAAHEP – means the national organization responsible for the accreditation and approval of educational programs in various allied health care professions including, but not limited to, perfusion.

Extracorporeal Circulation – means the diversion of a patient’s blood through a heart-lung machine, cardiopulmonary bypass system, or similar device which assumes the functions of a patient’s heart, lungs, kidney, liver or other circulatory or respiratory system organs.

Full License – means a license to practice perfusion which is issued by the Board to a person who has met all of the requirements for licensure as a perfusionist established pursuant to M.G.L. c. 112, §§ 213 and 214, and 267 CMR 3.03, 3.04 or 3.05, and who is therefore authorized by law to perform perfusion services.

Licensed Perfusionist – means a person who has been granted a full license to practice perfusion by the Board pursuant to M.G.L. c. 112, §§ 213 and 214, and 267 CMR 3.03, 3.04, or 3.05, and who is therefore authorized by law to perform perfusion services.

Licensed Physician – means a physician duly registered to practice medicine in the Commonwealth of Massachusetts by the Massachusetts Board of Registration in Medicine, pursuant to M.G.L. c. 112, § 2 and 243 CMR.

Perfusion – means the functions and services which are necessary for the support, treatment, measurement or supplementation of a patient’s cardiovascular, circulatory or respiratory systems or other organs; or which ensure the safe management of that patient’s physiological functions through the monitoring and analysis of those bodily systems; and which are performed pursuant to an order from, and under the supervision of, a licensed physician. Such functions and services include:

- (a) use of extracorporeal circulation and associated therapeutic and/or diagnostic technologies;
- (b) use of long-term cardiopulmonary support techniques, including extracorporeal carbon dioxide removal and extracorporeal membrane oxygenation and associated therapeutic and/or diagnostic technologies;
- (c) use or performance of counterpulsation;
- (d) use or performance of ventricular assistance;
- (e) use or performance of autotransfusion;
- (f) use or performance of blood conservation techniques;
- (g) use or performance of myocardial preservation and/or organ preservation techniques in connection with the performance of procedures involving cardiopulmonary bypass;
- (h) use or performance of extracorporeal life support services or techniques;
- (i) use or performance of isolated limb perfusion services;
- (j) use or performance of techniques involving blood management, advanced life support and other related functions;
- (k) administration of pharmacological and therapeutic agents through the extracorporeal circuit or through an intravenous line pursuant to an order from a duly licensed physician;
- (l) administration of anesthetic agents through the extracorporeal circuit or through an intravenous line pursuant to an order from, and under the direct supervision of, an anesthesiologist;
- (m) use or performance of physiologic monitoring;
- (n) use or performance of central hypothermia or hyperthermia;
- (o) use or performance of hemoconcentration, hemodilution or hemofiltration;
- (p) performance of anticoagulation monitoring;
- (q) performance of blood gas and blood chemistry monitoring and/or analysis;
- (r) performance of hematologic monitoring and/or analysis;
- (s) the observation of signs and symptoms related to perfusion services, the determination of whether such signs or symptoms exhibit abnormal characteristics, and the implementation of appropriate reporting of the same; and
- (t) the implementation of perfusion protocols, initiation of emergency procedures or implementation of changes in such emergency procedures in connection with any of the functions or services described in 267 CMR 2.03: Perfusion(a) through (j).

2.03: continued

Perfusion Protocols – means perfusion-related policies and protocols which are developed in accordance with the requirements of 267 CMR 4.01(4) and adopted or approved by a health care facility, and which address the conditions and circumstances in which a perfusionist may perform particular perfusion functions or services and the manner in which such functions or services will be performed.

Provisional License – means a license to practice perfusion issued by the Board pursuant to 267 CMR 3.06, which authorizes the holder thereof to practice perfusion only under the supervision of a perfusionist holding a full license issued by the Board pursuant to 267 CMR 3.03, 3.04, or 3.05.

Provisionally Licensed Perfusionist – means a person to whom a provisional license to practice perfusion has been granted by the Board pursuant to 267 CMR 3.06, and who is thereby authorized to perform perfusion services only under the supervision of a fully-licensed perfusionist.

2.04: Functions and Duties of the Board

The functions and duties of the Board shall include, but shall not be limited to, the following:

- (1) To establish the conditions and qualifications required for licensure to practice perfusion in the Commonwealth of Massachusetts, in accordance with M.G.L. c. 112, §§ 213 through 219;
- (2) To establish administrative procedures for the processing of applications for licensure of perfusionists and license renewals, and to procure the services of such agents as may be necessary for the processing of such applications;
- (3) To evaluate the qualifications of license applicants and determine their eligibility for full or provisional licensure to practice perfusion;
- (4) To establish specifications and procedures for, and provide for the administration of, examinations for licensure of perfusionists;
- (5) To evaluate the qualifications of out-of-state and foreign perfusionists and determine their eligibility for licensure to practice perfusion in the Commonwealth of Massachusetts by means of reciprocity, in accordance with M.G.L. c. 112, § 217;
- (6) To issue license certificates to all individuals who have met all of the applicable requirements for either full licensure or provisional licensure as a perfusionist;
- (7) To establish and maintain rosters of the names and addresses of all fully licensed perfusionists and provisionally licensed perfusionists who hold licenses issued by the Board;
- (8) To establish and administer continuing education requirements for renewal of licenses;
- (9) To adopt and promulgate such rules and regulations as are necessary and proper for the transaction of its business, proper regulation of the practice of perfusion, and the promotion and protection of the public interest;
- (10) To investigate all complaints which come to its attention regarding the practice of perfusion which indicate possible violation of any of the provisions of M.G.L. c. 112, §§ 213 through 219 or 267 CMR 2.00 *et seq.*;
- (11) To conduct adjudicatory proceedings in accordance with M.G.L. c. 30A and 801 CMR 1.00 *et seq.*;
- (12) To take such disciplinary action as may be appropriate in the case of any violation of any of the provisions of M.G.L. c. 112, §§ 213 through 219 or 267 CMR 2.00 *et seq.* by any individual who holds a full or provisional license to practice perfusion issued by the Board;

2.04: continued

(13) To refer to appropriate law enforcement authorities cases of persons practicing perfusion without a current license issued by the Board; and

(14) To perform all other functions and duties prescribed or authorized by M.G.L. c. 13, § 11E and M.G.L. c. 112, §§ 213 through 219.

2.05: Board Procedures

(1) Board Meetings. The Board shall hold at least two meetings per calendar year, one of which shall be an annual meeting for the election of officers. The Board may hold additional meetings at the call of its chairman, at the call of its secretary, or upon the written request of any four members of the Board. In all cases, due notice of the date, time and place of such meetings shall be given to all members of the Board.

(2) Quorum. Four members of the Board shall constitute a quorum for the transaction of business. A simple majority of those members present shall constitute a majority necessary for official action by the Board.

(3) Officers. At the annual meeting prescribed by 267 CMR 2.05(1), the Board shall elect from among its members a chairman, a vice-chairman, and a secretary. Such officers shall serve for a period of one year, but may be reelected for additional terms of one year. If an officer cannot complete his or her term, the vacancy shall be filled at the next meeting of the Board. The chairman shall preside at all meetings of the Board. If the chairman is absent for any reason, the vice-chairman shall preside in his or her absence.

2.06: Severability

If any provision of 267 CMR 2.00 *et seq.*, or the application of any such provision to any person or circumstances, is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of 267 CMR 2.00 *et seq.* which can be given effect without the invalid provision or application. To this end, the provisions of 267 CMR 2.00 *et seq.* are declared to be severable.

REGULATORY AUTHORITY

267 CMR 2.00: M.G.L. c. 112, § 219.